

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

AT

Healy Biodiesel, Inc.
205 W. 1st Street
Sedgwick, Kansas 67135
(316) 215-0003

RCRA EPA ID Number: KSD985012426

ON

November 30, 2010

BY

U.S. ENVIRONMENTAL PROTECTION AGENCY
Region VII
Environmental Services Division

INTRODUCTION

At the request of the Air and Waste Management Division (AWMD), I performed a Resource Conservation and Recovery Act (RCRA) Compliance Evaluation Inspection (CEI) at Healy Biodiesel, Inc., located in Sedgwick, Kansas on November 30, 2010. The inspection was conducted under the authority of Section 3007 of the Resource Conservation and Recovery Act, as amended. During the CEI, I collected information and data necessary to determine compliance with the applicable regulatory and statutory requirements. This report and attachments present the results of the inspection. This inspection was conducted as a Level B Multimedia Inspection and the Multi-Media Screening Checklist is included as attachment 1. Based on information obtained prior to and during the course of the inspection, I inspected the site as a Kansas Non-Generator of Hazardous Waste, a Generator of Used Oil, and a Small Quantity Handler of Universal Waste. This is the first time that this facility has been inspected for RCRA compliance by either the state of Kansas or Region VII Environmental Protection Agency.



PARTICIPANTS

Healy Biodiesel, Inc.:

Ben Healy, President*

*Copy of business card is included as attachment 2.

U.S. Environmental Protection Agency (EPA):

Michael W. Tucker, Life Scientist

INSPECTION PROCEDURE

I conducted a visual reconnaissance of the Healy Biodiesel Inc. (Healy) facility from the adjacent roadways and parking lot prior to the inspection. Numerous 55-gallon drums, several plastic tanks, and several plastic totes were observed in an outside storage area. The outside storage area was bordered by a fence.

I arrived unannounced at the Healy facility, located at 205 W. 1st Street, on the morning of November 30, 2010. I was met in the parking lot by Mr. Ben Healy. I identified myself, and we went inside the building to an office for an entrance briefing. The entrance briefing was attended by Mr. Healy, who identified himself as the company President. During the initial entrance briefing, I presented my credentials, and exchanged business cards with Mr. Healy. I presented Mr. Healy with a copy of RCRA Section 3007 (a), which provides the authority for conducting RCRA inspections. Mr. Healy was also presented with a copy of Title 18 U.S. Code, Sections 1001 and 1002, which provides penalties for providing false and/or misleading information to Federal representatives, and for the possession and use of fraudulent documents. I explained the EPA policy regarding collection of confidential business information (CBI) to Mr. Healy. I explained that at the conclusion of the inspection Healy would be provided with a copy of the EPA *Confidentiality Notice*, with which a CBI claim could be made for any or all of the information and documentation collected during the inspection. I also discussed the document receipt form and the general plan for the inspection. I asked Mr. Healy to review the *RCRA Handler Information Report*, which I provided to him during the inspection (attachment 3). Mr. Healy made corrections to the facility's site contact, site owner, and site operator information. Mr. Healy provided me with requested facility information and accompanied me on the visual inspection of the facility.

The inspection consisted of a discussion of the facility operations, waste generation and waste management practices, a review of the required waste management plans, programs and records, and a visual inspection of the waste generation and management areas. A Global Positioning System (GPS) reading was obtained at the conclusion of the inspection from the Healy parking lot, located on the east side of the facility.

Information collected during this inspection is documented on the Kansas Department of Health and Environment (KDHE) Checklist (attachment 4), and also in my field notes. I conducted this inspection in accordance with the procedures described above, and the following EPA Region VII Standard Operating Procedures (SOPs), with any variance noted.

<u>SOP Number</u>	<u>SOP Description</u>
2321.1C	RCRA Compliance Evaluation Inspection

At the conclusion of this CEI, my findings were summarized and reviewed with Mr. Healy during an exit briefing. Mr. Healy signed the *Confidentiality Notice*, indicating that no claim of CBI was being made (attachment 5). I provided Mr. Healy with a *Receipt for Documents and Samples*, which he signed as acknowledgement of receipt (attachment 6).

The following inspection documents were left with Healy:

Confidentiality Notice (top page of completed carbon copy set)

Receipt for Documents (top page of completed carbon copy set)

The following Compliance Assistance handouts were left with Enviroklean:

Security Awareness (EPA pamphlet)

Commercial Motor Vehicle Transportation Security Planning (EPA info sheet)

U.S. EPA Small Business Resources (EPA fact sheet)

Compliance Assistance Centers (EPA fact sheet)

Supplemental Information for Small Businesses (EPA fact sheet)

Closed Containers (KDHE Technical Guidance Document)

Container Management for Hazardous Waste Generators (KDHE Document)

Solvent Contaminated Rags/Wipers (KDHE Technical Guidance Document)

Used Oil Generators (KDHE Technical Guidance Document)

Spent Fluorescent Lamps (KDHE Technical Guidance Document)

Recycling and Disposal of Aerosol Cans (KDHE Technical Guidance Document)

I also informed Mr. Healy of the KDHE website.

FACILITY DESCRIPTION

Facility Information and Operations

Healy is located at 205 West 1st Street in Sedgwick, Kansas. This address was previously the location of Underground Solutions, LLC. Underground Solutions has been closed for business for over four years. The facility consists of a single building with an outside, partially fenced storage yard. The 5800 square foot building contains approximately 1000 square feet of office space and storage. The remainder of the building houses the biodiesel production area. The facility is situated on 1 acre of leased land. Mr. Healy stated that the building and land are owned by the City of Sedgwick. Healy began operations in January 2007. The facility has two employees and operates one shift, Monday through Friday (0800-1700 hrs).

Mr. Healy stated that the facility is a manufacturer of biodiesel. The facility obtains used cooking oil from local restaurants and produces biodiesel for retail sale. Mr. Healy stated that he purchases some of the used cooking oil, some of it is donated to him, and some of it is traded for biodiesel. Heat and gravity are used to separate the used cooking oil into water and solids, which sink, and clean oil, which floats. Mr. Healy stated that the biodiesel is produced in a 2-stage process. The first process is acid esterification, where methanol and sulfuric acid are added to lower the free fatty acid level of the cooking oil. The second process is transesterification, where the pretreated cooking oil is converted into crude biodiesel and glycerin. The crude biodiesel floats on the glycerin, which is drained off first. The crude biodiesel is then washed with water, and dried by air bubbling, yielding the final product. The water wash removes soap, dirt, methanol, and other impurities. The biodiesel is stored as product in a 5150-gallon tank. The facility produces 200,000 gallons of biodiesel per year. Mr. Healy stated that all of the glycerin is sold. He stated that the glycerin is sold to waste oil collectors and burned as fuel. The water from the heat process and the biodiesel washing is collected in storage tanks.

Facility Status

I inspected Healy as a Non-Generator of Hazardous Waste. Mr. Healy stated that the facility has not submitted a Notification of Regulated Waste Activity. Mr. Healy told me that the facility does not currently generate hazardous waste. I did not observe any hazardous waste in storage at the time of the inspection. Healy does not have a hazardous waste storage area. The facility generates used oil and spent fluorescent lamps.

FINDINGS AND OBSERVATIONS

Facility Wastes and Management

I conducted a thorough visual inspection of the Healy biodiesel production area, warehouse/maintenance area and the outside storage yard. The outside storage yard contained numerous clean, empty 55-gallon metal drums. There was also one 250-gallon plastic tote and several 275-gallon plastic totes for glycerin storage. There were two 3000-gallon tanks and two 1100-gallon tanks for used cooking oil storage. I observed no hazardous waste being generated or stored.

Glycerin - Mr. Healy stated that all of the glycerin produced is sold. The glycerin has been determined to be non-hazardous through process knowledge. Healy has made 24 off-site shipments of glycerin in the past three years. The glycerin is picked up by Clearwater Truck Company, Inc., Midland Refining Division, located in Wichita, Kansas. See attachment 7 for a Midland Refining Division receipt. Mr. Healy stated that Midland Refining sells the glycerin to waste oil collectors and is used in asphalt burners and cement kilns. See attachment 8 for a Certificate of Destruction. Mr. Healy stated that the generation rate for glycerin is approximately 2000 gallons per month. The facility stores the glycerin on-site in 250 and 275-gallon plastic totes.

Wastewaters - The wastewaters produced by the heat separation process and by biodiesel washing are stored on-site in a 2000-gallon and a 1500-gallon setting tank. Mr. Healy stated that the wastewaters have been analyzed and were determined to be non-hazardous, but contain high BOD. The wastewaters are combined and trucked by Healy to Ready-Rooter, located in Wichita, Kansas. Mr. Healy stated that he does know the final disposition of the wastewaters. He stated that the generation rate is 1700-2500 gallons per month.

Used Oil - Healy generates used oil from vehicle maintenance. Mr. Healy stated that product knowledge was used to determine the used oil to be non-hazardous. Mr. Healy stated that the used oil is added to the glycerin shipment. He stated that the facility generates approximately 5 gallons of used oil per month. There was no used oil in storage during the inspection. There were no visible signs of any leakage or spills.

Used Oil Filters - Mr. Healy told me that the facility drains the oil from the used oil filters and recycled the filters. The generation rate is approximately one filter per month.

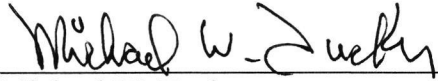
Spent Lamps - The facility utilizes fluorescent lamps. I observed many inoperative lamps in the facility. Mr. Healy stated that Healy and the City of Sedgwick are in disagreement as to who is responsible for lamp replacement. Mr. Healy stated that no fluorescent lamps had been replaced in at least three years. I explained to Mr. Healy that the facility needs to make a hazardous waste determination on the spent fluorescent lamps. I provided Mr. Healy with compliance assistance regarding handling of spent fluorescent lamps. He stated that the spent lamps would be handled as universal waste in the future.

Spent Batteries - The facility uses lead-acid batteries for the hose reel. Mr. Healy stated that spent lead-acid batteries are exchanged for new batteries.

General Trash - The facility's general trash is picked up every other Thursday by Waste Connections, Inc., located in Wichita, Kansas.

Summary

Healy Biodiesel, Inc. was operating as a Non-Generator of Hazardous Waste, a Generator of Used Oil, and a Small Quantity Handler of Universal Waste during the time of the inspection. I reviewed all applicable requirements and no apparent violations were observed.



Michael W. Tucker

Life Scientist

Date: December 9, 2010

Attachments

- Attachment 1 - Region VII Multimedia Screening Checklist (1 page, both sides)
- Attachment 2 - Facility Representative Business Card (1 page)
- Attachment 3 - *RCRAinfo Handler Information Report* (1 page)
- Attachment 4 - KDHE Hazardous Waste Compliance Inspection Checklist (5 pages)
- Attachment 5 - *Confidentiality Notice* (1 page)
- Attachment 6 - Receipt for Documents (1 page)
- Attachment 7 - Midland Refining Receipt (1 page)
- Attachment 8 - Systech Certificate of Destruction (1 page)

REGION VII MULTIMEDIA SCREENING CHECKLIST

Facility Name: Healy Biodiesel Inspector: Tucker
Facility Ownership: Healy Biodiesel Primary Media: RCRA
Street: 205 W 1st Street Inspector Phone Ext.: 7475
City: Sedgwick State: KS Zip: 67135 Date: 11/30/10
Phone: 316-215-0003 Facility Contact: Ben Healy SIC/NAICS Code: _____
Number of Employees: 2 Work Hours/Shifts: M-F 8-5 Facility Subject to OSHA regulations Yes ☐ No ☒

Main facility activity, major process chemical(s) & description: Biodiesel production

(Check all that apply): painting/coating (water-based ☐, solvent-based ☐) , printing ☐, reacting ☒, formulating ☐, distilling ☐,
water treatment ☐, refrigeration ☐, manufacturing ☐, parts washers/degreasing (water-based ☐, halogenated-based ☐,
non-halogenated-based ☐) , combustion (boiler, furnaces, oxidizers) ☒, plating (chrome ☐, other _____).

ENVIRONMENTAL JUSTICE (Note: Forward to EJ if a concern is identified during your inspection)

1. Is the facility located in an apparent low income area (e.g., with many abandoned and dilapidated properties)? No ☒ (stop) Yes ☐
If yes, is facility less than 1000 feet from nearest routinely occupied property (house, school, etc.)? No ☐ (stop) Yes ☒ **Forward to EJ**

EMERGENCY PLANNING & COMMUNITY RIGHT TO KNOW ACT (EPCRA) & TOXIC SUBSTANCE CONTROL ACT (TSCA)

1. Did facility file a Tier II report with fire department, Local & State Emergency Planning Committee? Yes ☒ No ☐ **Forward to EPCRA**
2. Did facility manufacture, import, or process (formulate, blend, package) >25,000 lbs of a chemical or >100 lbs of a Persistent Bioaccumulative Toxin (lead, mercury, or polycyclic aromatic compounds) at any time over the last 5 years? No ☐ (stop) Yes ☒ **Forward to EPCRA**
3. Has the facility: **If any box in question 3 is marked - Forward to EPCRA**
a. Stored ≥ 500 lbs of ammonia ☐, ≥ 100 lbs of chlorine ☐, or $\geq 10,000$ lbs of an industrial chemical ☐, at any time over the last 2 years? ☐
b. Stored $\geq 10,000$ lbs of pressurized flammable material (propane, methane, butane, pentane, etc.) at any time over the last 2 years? ☐
c. Used $\geq 10,000$ lbs of ammonia ☐, chlorine ☐, halogenated solvents ☐, solvent-based paints ☐, or solvents ☐, or nitrated compound, over the last calendar year? ☐
d. Generated \geq one half pound of metal dusts, fumes, or metal turnings, over the last calendar year? ☐
4. Does the facility have any oil filled electrical equipment No ☒ (stop) Yes ☐ **Forward to TSCA and ask** Has facility tested oil filled equipment to determine PCB content? No ☐ Yes ☐ number containing PCBs greater than 50 ppm _____ and percent of all equipment tested _____. Is equipment leaking (including wet or weeping equipment)? No ☐ Yes ☐ - **Get Photo**

CLEAN WATER ACT (CWA) - National Pollution Discharge Elimination System (NPDES), Industrial Pretreatment, Storm Water, & Wetlands

1. Does the facility discharge any wastewater to storm sewers, surface water, or the land? No ☒ (stop) Yes ☐
If yes, are all wastewater discharges permitted? Yes ☐ No ☐ **Forward to CWA**
2. Does the facility have process wastewaters that are discharged to a city POTW (Publicly Owned Treatment Works)? No ☒ (stop) Yes ☐
If yes, are the discharges permitted by: State? ☐, City? ☐ - If yes, Stop here. No ☐ **Forward to CWA**
If yes, does the city have a state or EPA approved pretreatment program? Yes ☒ No or Don't Know ☐ **Forward to CWA**
3. During rainfall events, can storm water carry pollutants from manufacturing, processing, storage, disposal, shipping and receiving areas, or from construction sites >1 acre, to storm sewers or surface water? No ☒ (stop) Yes ☐
If yes, does the facility have an NPDES permit for these storm water discharges? Yes ☐ No ☐ **Forward to CWA**
4. Did you see any wastewater discharges not identified by the facility? No ☒ (stop) Yes ☐ - Identify location, time, appearance of discharge: _____
(Get Photo) **Forward to CWA**
5. Does the facility have any wetland areas (e.g. streams, ponds, or temporarily wet areas)? No ☒ (stop) Yes ☐
If yes, have any wetland areas been dredged, filled, channelized, dammed, or had gravel removed from them within the last 5 years?
No ☐ (stop) Yes ☐ - Identify location and timeframe _____ (Get Photo) **FWD to Wetlands**

SAFE DRINKING WATER ACT (SDWA) - Underground Injection Control (UIC) & Public Water System (PWS)

1. Does facility discharge any liquids to the subsurface (septic systems, disposal wells, cesspools, etc.)? No ☒ (stop) Yes ☐ Forward to UIC
If yes, do these liquid wastes consist of sanitary wastewater only? Yes ☐ No ☐
2. Does facility provide drinking water to 25 people or more from its own source (private well, pond, etc)? No ☒ (stop) Yes ☐ Forward to PWS
If yes, does the facility test or monitor its drinking water in order to comply with state regulations? Yes ☐ No ☐

CLEAN AIR ACT (CAA) and CFCs

1. Do you see any dense, non-steam, smoke or dust emissions leaving the facility property? No ☐ Yes ☒ Forward to CAA
Source: _____ (Get Photo)
2. Does the facility have any new air pollution emitting equipment that was constructed or installed in the past 5 years? No ☒ (stop) Yes ☐
If yes, is equipment permitted? Yes ☐ No ☐ Forward to CAA Describe: _____
3. Does the facility have any cooling units that contain >50 lbs of refrigerant? No ☒ (stop) Yes ☐ Forward to CFC
If yes, are these units: Self-serviced? ☐ Contract Serviced? ☐ - Service Company: _____
4. Does the facility have a refrigeration process that contains more than 10,000 lbs of ammonia? No ☒ (stop) Yes ☐ Forward to EPCRA/RMP
5. Does the facility service motor vehicle air conditioning systems? No ☒ (stop) Yes ☐ Forward to CFC

RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) and UNDERGROUND STORAGE TANKS (UST)

1. Does the facility generate more than 30-gallons (220 lbs./100kg) of hazardous waste per month or at any one time? No ☒ (stop) Yes ☐
If yes, does facility have an EPA Hazardous Waste Identification Number? Yes ☐ (stop) No ☐ Forward to RCRA
2. Is hazardous waste treated ☐, stored >90-days ☐, burned ☐, land filled ☐, put in surface impoundments ☐ or waste piles ☐?
No ☐ (stop) Yes ☐ If yes, is the facility permitted for above described activity? Yes ☐ No ☐ Forward to RCRA
3. Did you see or does the facility have any large quantities of materials that the facility claims to be non-hazardous waste material (>10 drums, roll-offs, waste piles, etc. - exclude clean office trash, cardboard, & packaging type wastes)? No ☒ (stop) Yes ☐

Material Claimed To Be Non-HazardousGlycerin**How does the facility know these wastes are non-hazardous?**

- Testing, industry or manuf. info., MSDS, etc. ☒ ; None available ☐ Forward to RCRA
- Testing, industry or manuf. info., MSDS, etc. ☐ ; None available ☐ Forward to RCRA
- Testing, industry or manuf. info., MSDS, etc. ☐ ; None available ☐ Forward to RCRA
- Testing, industry or manuf. info., MSDS, etc. ☐ ; None available ☐ Forward to RCRA
- Testing, industry or manuf. info., MSDS, etc. ☐ ; None available ☐ Forward to RCRA

4. Did you see any leaking hazardous waste containers, drums, or tanks? No ☒ Yes ☐ Forward to RCRA
Describe: _____ (Get Photo)
5. Did you see any signs of spills or releases (e.g., dead or stressed vegetation, stains, discoloration)? No ☒ Yes ☐ Forward to RCRA
Describe: _____ (Get Photo)
6. Did you see any chemical or waste handling practices that concern you (access to children/public)? No ☒ Yes ☐ Forward to RCRA & EPCRA Describe: _____ (Get Photo)
7. Does the facility have any past or present underground petroleum product or hazardous material tanks? No ☒ Yes ☐ Forward to UST
8. Does the facility have any underground fuel tanks for emergency generators? No ☒ Yes ☐ Forward to UST

SPILL PREVENTION CONTROL AND COUNTERMEASURE PLAN (SPCC)

1. Does the facility have any aboveground oil tanks (petroleum, synthetic, animal, fish, vegetable), with an aggregate volume >1,320 gallons?
No ☐ (stop) Yes ☒ Does the facility have a certified SPCC Plan? Yes ☒ No ☐ Forward to SPCC In Process
- If yes, are there secondary containment systems for the tanks? Yes ☒ No ☐ Forward to SPCC
- If yes, are any tanks leaking where oil could reach waters of the State or U.S.? No ☒ Yes ☐ (Get Photo) Forward to SPCC

ENVIRONMENTAL MANAGEMENT SYSTEMS (EMS)

1. Does your facility have an EMS? No ☒ Yes ☐
2. Is the facility's EMS ISO 14001 certified? No ☒ Yes ☐

*** PLEASE TAKE PHOTOS TO DOCUMENT POTENTIAL PROBLEMS**



Healy Biodiesel Company

Locally Produced Biodiesel Fuel

- ~ American Made 99.9% Biodiesel—Delivery Available
- ~ All Natural Premium Quality Fuel
- ~ Burns Clean, Lubricates System and Prolongs Engine Life

Ben Healy

President

205 W. 1st Sedgwick, KS 67135

Shop: 316-215-0003

Cell: 316-992-3169

E-mail: info@healybiodiesel.com

HANDLER INFORMATION REPORT

November 15, 201

PROCEDURES for Inspectors performing Site Visits

If the facility wants to make a change, they must complete a Notification of Regulated Waste Activity form and send it to KDHE-BWM, 1000 SW Jackson, Ste 320, Topeka, KS 66612-1366. The form can be found at www.kdhe.state.ks.us/waste/apps-hw/notify.pdf.

If during the course of the site visit, the inspector/investigator becomes aware of any changes which should be made to the information printed on this form, please make the corrections and return the form to: Beth Koesterer, AWMD/WEMM.

EPA RCRA ID Number: KSD985012426

Name of Company/Site: HEALY BIODIESEL INC

Location of Site: 205 W 1ST
SEDGWICK, KS 67135
HARVEY County
02 State District

Land Type: Private

NAICS:

Mailing Address:

Site Contact: Ben Healy -
Job Title: President
E-mail: info@healybiodiesel.com
Address:
Phone Number: ~~316-215-1981~~ 316-215-0003
BH

Current Owner of Site: City of Sedgwick
Date Became Owner: 10-4-10
Address:

Phone Number: 316-272-5151
Owner Type:

Current Operator of Site: Healy Biodiesel, Inc.
Date Became Operator: 11/1/07
Address:

Phone Number: 316-215-0003
Operator Type:

TYPE(S) OF REGULATED ACTIVITY:

Manufacturer of Biodiesel

Hazardous Wastes Handled:

Date of Site Visit:

November 30, 2010

Name of Inspector (Please print):

Michael W. Tucker

(Check one): ☒ EPA R7 ENSV ☐ EPA R7 Contractor ☐ NOWCC/SEE Investigator

Signature of Inspector:

Michael W. Tucker



KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT
BUREAU OF WASTE MANAGEMENT



**HAZARDOUS WASTE
COMPLIANCE INSPECTION CHECKLIST
COVER PAGE**

General		<input checked="" type="checkbox"/> Routine	<input type="checkbox"/> Complaint
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EPA ID KSD985012426 Time _____ Date 11/30/2010

Generator Name Healy Biodiesel District _____

Street 205 W. 1st Street City Sedgwick, KS ZIP 67135

Mailing Address (if different than above) _____

County _____ Phone 316-215-003

Contact(s) _____ Fax _____

Inspector(s) Tucker e-mail _____

Type of Business Biodiesel Number of Employees 2

Operating Hours M-F 8-1700 hr

Lat/Long Location Method: GPS Lat/Long Location Feature: recorded 11/30/10 AM.

Latitude: (like 37.57621) _____ Longitude: (like -101.57621) _____

Has the Lat/Long been entered in the SW database? Yes ☐ No ☐

Generator size classification: ☐ Closed/Inactive ☐ Small Qty. Generator ☐ EPA Generator
☒ Not a Generator ☐ Kansas Generator ☐ Transporter

Other Regulated Activities: ☐ T/S/D Facility ☒ Used Oil Activities
(complete applicable checklist) ☐ Tanks ☒ Universal Waste Activities

Has the company declared any information/processes as trade secrets KSA 65-3447? NO

If yes, explain: _____

Attach all applicable checklists.

If facility is closed/inactive, or has recently moved please provide a brief description here or in an attached summary.

HAZARDOUS WASTE GENERATOR COMPLIANCE INSPECTION CHECKLIST

Industrial Wastes Generated

(List all solid and hazardous wastes. List hazardous wastes first)

Waste description or process	If waste is hazardous give HW ID Number	Amount generated per month	Amount presently in storage	Oldest accumulation start date	Present disposal methods
waste lamp	Bottle with city	0	0		
Used oil 1 55 gallon drum, marked Used oil (Crags - to trash)					
Used oil added to water Glycol in Shipment when picked up.					

Recon: 55 gallon DM, various sizes Plastic Totes.

Waste Connections Inc, Wichita, KS
Every other thing, general trash

General Requirements (GGR)

- | | YES | NO | NA | V# |
|--|-------------------------------------|--------------------------|-------------------------------------|----|
| 1. Has the generator evaluated each potentially hazardous waste(s) to determine if it is hazardous? KAR 28-31-4(b) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | |
| a. If waste(s) was tested, was the analysis conducted by a laboratory certified by KDHE? KAR 28-31-4(b)(3)(A) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| b. If waste(s) was tested, are the results kept for three years from date waste was sent on/offsite for T/S/D? KAR 28-31-4(f)(1)(C) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| c. If waste was not tested, did the generator use process knowledge? KAR 28-31-4(b) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| 2. If hazardous waste(s) is disposed of via the sanitary sewer to a Publicly Owned Treatment Works (POTW), has the generator received written approval from the City - POTW? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 3. Has the facility obtained a Special Waste Disposal Authorization (SWDA) for each subject waste? KAR 28-29-109(c) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| a. List the SWDA authorization number(s): _____ | | | | |
| 4. If the generator recycles hazardous waste on-site (such as in a still), do they count waste each time prior to its being recycled? KAR 28-31-4(o) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| If the waste is not counted, is it exempt because of a closed loop system? KAR 28-31-4(o) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

General Requirements:☒ Compliance ☐ Non-Compliance ☐ NA**Notification Requirements (GGR)**

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|--|
| 5. Has generator notified KDHE and obtained an EPA Identification Number? KAR 28-31-4(c)(1) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 6. Is current notification accurate? KAR 28-31-4(c)(1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |

Notification Requirements:☐ Compliance ☐ Non-Compliance ☒ NA

NM-Generator

NA

Non-Accumulating Small Quantity Generator

YES NO NA V#

7. If the SQG is accumulating less than 25 kg of hazardous waste on-site,
- a. Is the SQG recycling, treating, or disposing of this waste on-site in an acceptable manner? **KAR 28-31-4(m)(2)**
- b. Is the SQG sending this waste off-site for treatment, storage, or disposal? **KAR 28-31-4(m)(2)**

☐ ☐ ☐

☐ ☐ ☐

Non-Accumulating SQG Requirements:

☐ Compliance ☐ Non-Compliance ☐ NA

(small quantity generator not accumulating, stop here)

Accumulating Small Quantity Generator

8. If the SQG is accumulating 25 kg or more of hazardous waste,
- a. Is the SQG recycling, treating, or disposing of this waste on-site in an acceptable manner? **KAR 28-31-4(m)(2)**
- b. If the SQG is sending waste off-site for treatment, storage, or disposal, is the waste sent to a TSD or some other approved waste management facility? **KAR 28-31-4(m)(2)**

☐ ☐ ☐

☐ ☐ ☐

Accumulating SQG Requirements:

☐ Compliance ☐ Non-Compliance ☐ NA

Pre-Transport Requirements (GPT)

9. Does generator package, label (flammable liquid, poison, etc.), and mark (consignee's or consignor's name and address, etc.) waste in accordance with the requirements outlined in 49 CFR Parts 172, 173, 178, and 179 (DOT)? **KAR 28-31-4(e)**
- a. Does generator mark each container of 110 gallons or less as below? **KAR 28-31-4(e)(3)(B)**

☐ ☐

☐ ☐ ☐

*Hazardous Waste-Federal Law Prohibits Improper Disposal.
If found, contact the nearest police or public safety authority or the US EPA.
Generator's Name and Address
Manifest Document Number*

10. Does generator only use a transporter who has registered with the department and obtained an EPA Identification Number? **KAR 28-31-4(c)(2)**

☐ ☐

Pre-Transport Requirements:

☐ Compliance ☐ Non-Compliance ☐ NA

NA

Storage Requirements (GPT)

YES NO NA V#

11. If generator temporarily stores waste in containers,
- a. Is each container clearly marked with the words "Hazardous Waste"?
KAR 28-31-4(g)(3) or KAR 28-31-4(h)(4) or KAR 28-31-4(m)(2)(B) ☐ ☐
- b. Is the accumulation start date marked on each container?
KAR 28-31-4(g)(2) or KAR 28-31-4(h)(3) or KAR 28-31-4(m)(2)(B) ☐ ☐
- c. Are all containers holding hazardous waste in good condition and closed during storage except when necessary to add or remove waste? **KAR 28-31-4(g)(1)(A) or KAR 28-31-4(h)(2)(A) or KAR 28-31-4(m)(2)(B)** ☐ ☐
- d. Does generator conduct weekly inspections of containers for signs of leakage and/or deterioration caused by corrosion or other factors?
KAR 28-31-4(g)(1)(A) or KAR 28-31-4(h)(2)(A) or KAR 28-31-4(m)(2)(B) ☐ ☐
- A. If yes, are these inspections documented in a log that includes complete date and time of inspection, name of inspector, notations of observations, and date and nature of remedial actions? **KAR 28-31-4(k)** ☐ ☐
12. If SQG or Kansas generator is accumulating 2,200 lbs (1,000 kg) or more of hazardous waste (or 2.2 lbs (1 kg) or more of acutely hazardous waste), then check yes and continue with EPA generator requirements. ☐ ☐

Storage Requirements:

☐ Compliance ☐ Non-Compliance ☐ NA

(Small quantity generator accumulating <1,000 Kilograms stop here)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
CONFIDENTIALITY NOTICE

Facility Name <u>Healy Biodiesel Inc.</u>	
Facility Address <u>205 West 1st Street</u> <u>Sedgwick, Kansas 67135</u>	
Inspector (print) <u>Michael W. Tucker</u>	
U.S. EPA, Region VII, 901 N. 5th St., Kansas City, KS 66101	Date <u>11/30/2010</u>

The United States Environmental Protection Agency (EPA) is obligated, under the Freedom of Information Act, to release information collected during inspections to persons who submit requests for that information. The Freedom of Information Act does, however, have provisions that allow EPA to withhold certain confidential business information from public disclosure. To claim protection for information gathered during this inspection you must request that the information be held CONFIDENTIAL and substantiate your claim in writing by demonstrating that the information meets the requirements in 40 CFR 2, Subpart B. The following criteria in Subpart B must be met:

1. Your company has taken measures to protect the confidentiality of the information, and it intends to continue to take such measures.
2. No statute specifically requires disclosure of the information.
3. Disclosure of the information would cause substantial harm to your company's competitive position.

Information that you claim confidential will be held as such pending a determination of applicability by EPA.

I have received this Notice and <u>DO NOT</u> want to make a claim of confidentiality at this time.	
Facility Representative Provided Notice (print) <u>Ben Healy, President</u>	Signature/Date <u>Ben Healy</u> <u>11-30-10</u>

I have received this Notice and <u>DO</u> want to make a claim of confidentiality.	
Facility Representative Provided Notice (print)	Signature/Date

Information for which confidential treatment is requested:

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
RECEIPT FOR DOCUMENTS AND SAMPLES

Facility Name	Healy Biodiesel Inc.
Facility Address	205 West 7th Street Sedgwick, Kansas 67135

Documents Collected? YES ☒ (list below) NO ☐

Samples Collected? YES ☐ (list below) NO ☒ Split Samples: YES ☐ NO ☐

Documents/Samples were: 1) Received no charge ☒ 2) Borrowed ☐ 3) Purchased ☐

Amount Paid: \$ Method: Cash ☐ Voucher ☐ To Be Billed ☐

The documents and samples described below were collected in connection with the administration and enforcement of the applicable statute under which the information is obtained.

Receipt for the document(s) and/or sample(s) described below is hereby acknowledged:

1) Midland Refining Transporter Receipt (1 page)
2) Syntech Certificate of Destruction (1 page)

Facility Representative (print)	Signature/Date
Ben Healy, President	Ben Healy 11-30-10
Inspector (print)	Signature/Date
Michael W. Tucker	Michael W. Tucker 11/30/2010
U.S. EPA, Region VII, 901 N. 5th Street, Kansas City, KS 66101	

(rev:1/20/93)



CLEARWATER TRUCK CO., INC.

5650 NO. BROADWAY / WICHITA, KANSAS 67219

MIDLAND REFINING DIV.

5755 NO. BROADWAY / WICHITA, KANSAS 67219

EPA# I.D. #KSD082462128
TRANSPORTER #HW128

H.M.

(316) 838-8472

DATE _____

CUSTOMER _____

GALLONS _____

@

AMT _____

PRODUCT _____

BBLS _____

TANK _____

RECEIVED FROM _____

DRIVER: _____

TRK# _____

Systech Environmental Corporation
1420 S. Cement Road
Fredonia, KS
6203784451

CERTIFICATE OF DESTRUCTION

This hereby certifies that waste as defined on Shipping document 00002 from
Healy Biodiesel EPA ID: 20-574838 was received by Systech
Environmental Corporation, RCRA permit ID: KSD980633259

The waste material was received on : 05/30/2008

Total pounds processed by Systech:* 43580

This waste is to be burned for energy recovery in a cement kiln in accordance
with Federal (40 CFR 260 thru 270) and corresponding state hazardous waste
regulations.

Treatment code for material processed: H061

Destruction commenced on or about the following date:** 06/02/2008



John Mrkwa, Carlotta Myers
Customer Service Rep.

** The date given above refers to when your waste shipment was introduced into the cement
kiln for re-use as waste fuel.